**HONOURABLE SHRI JUSTICE R.SUBHASH REDDY**

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**WRIT PETITION No. 8080 OF 2006**

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**Dated 21st April, 2006**

Between:

Nalanda Educational Society

Siddarthnagar, Kantepudi village,

Sattenpally Mandal, Guntur District.

… Petitioner

And

The National Council for Teacher Education

Southern Regional Committee

1st Floor, CSD Building, HMT Complex,

HMT Post, Bangalore-31.

…Respondent.

**ORAL ORDER:**

The petitioner, a registered society, has submitted an application on 28.12.2002 for recognition for establishment of B.Ed. College in the name and style of “Nalanda Educational Society” at Siddarthanagar, Kantepudi village, Sattenpally Mandal, Guntur District.

The grant of recognition or permission for starting B.Ed. Colleges is governed by the provisions contained in the National Council for Teacher Education Act, 1993 and

regulations framed thereunder. The regulations were earlier framed by the National Council for Teacher Education in exercise of its power under clauses (f) and (g) of sub-section (2) of Section 32 read with Sections 14 and 15 of the National Council for Teacher Education Act, 1993, according to which, an application for recognition by the Council constituted under the Act, shall be accompanied by the 'No Objection Certificate' from the State Government. But, however, those regulations were superseded by the new regulations by notification dated 27.12.2005 and they were published in All India Gazette on 13.1.2006, according to which, there is no requirement of obtaining 'No Objection Certificate' from the State Government before applying for recognition by the National Council for Teacher Education. Therefore, the application submitted by the petitioner on 28.12.2004 for grant of recognition, which is pending consideration, has to be considered without insisting upon submission of 'No Objection Certificate' from the State Government as per the new regulations.

Whether the petitioner-society has fulfilled the required conditions or not is a matter for the competent authority to enquire into after making necessary inspection. But, as the application for recognition is pending from 28.12.2004 and after proposal was submitted, new regulations have come into force, according to which, there is no necessity of submission of 'No Objection Certificate' from the State Government along with the application for recognition to the National Council for Teacher Education, I dispose of the writ petition directing the respondent to consider the application/proposal of the petitioner dated 28.12.2004 for establishment of B.Ed. College in accordance with the regulations brought into force by notification dated 27.12.2005, within a period of four months from today. No costs.

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21.4.2006 **(R.SUBHASH REDDY, J.)**

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